

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST FOR CONFIDENTIAL TREATMENT OF )  
INFORMATION FILED WITH CINCINNATI BELL )  
TELEPHONE COMPANY'S PROPOSED TARIFF TO ) CASE NO. 95-562  
INTRODUCE CALLING NAME AND NUMBER )  
SERVICE )

O R D E R

This matter arising upon petition of Cincinnati Bell Telephone Company ("Cincinnati Bell"), filed December 15, 1995, pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost information filed in support of Cincinnati Bell's proposed revision to its General Exchange Tariff on the grounds that disclosure of the information is likely to cause Cincinnati Bell competitive injury and it appearing to this Commission as follows:

Cincinnati Bell has filed proposed revisions to its General Exchange Tariff which introduce Calling Name and Number Service. In support of the proposed revisions, Cincinnati Bell has filed cost information which it seeks to protect as confidential.

The information sought to be protected is not known outside of Cincinnati Bell and is not disseminated within Cincinnati Bell except to those employees who have a legitimate business need to know and to act upon the information. Cincinnati Bell seeks to preserve and protect the confidentiality of the information through all appropriate means.

KRS 61.872(1) requires information filed with the Commission to be available for public inspection unless specifically exempted

by statute. Exemptions from this requirement are provided in KRS 61.878(1). That subsection of the statute exempts several categories of information. One category exempted in paragraph (c)1 of that subsection is commercial information confidentially disclosed to the Commission which if made public would permit an unfair commercial advantage to competitors of the party from whom the information was obtained. To qualify for the exemption, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

In its petition, Cincinnati Bell maintains that Calling Name and Number Service is a service for which it faces competition. The petition, however, does not identify any competitors for the service who would benefit by disclosure of the cost information. Therefore, the petition does not satisfy the test and should be denied.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that:

1. The petition to protect as confidential the cost information filed in support of the proposed revision of its General Service Tariff is hereby denied.

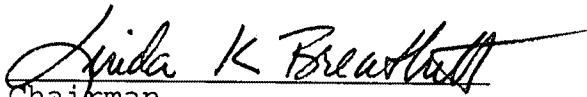
2. The cost information sought to be protected shall be held and retained by this Commission as confidential and shall not be open for public inspection for a period of 20 days from the date of


this Order to allow Cincinnati Bell an opportunity to file an amended petition identifying the competitors who would benefit from disclosure from the information.

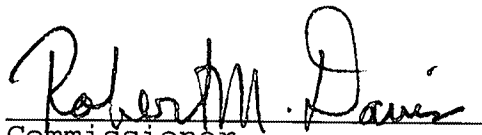
3. If the petitioner fails to file an amended petition within 20 days from the date hereof, the information shall be placed in the public record without further Orders herein.

Done at Frankfort, Kentucky, this 16th day of January, 1996.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director